

IMO I 4.5.3 G-e Appeals and Complaints Procedures

1. Principles

- 1.1 Wherever possible, IMO strives to resolve problems that are brought to our knowledge in dialogue with the client. In case of formal complaints or appeals IMO strives to handle these in a sound and transparent as well as efficient and effective way.
- 1.2 Appeals: If clients do not agree with the certification decision or decision making process, an appeal against a certification decision can be presented.
- 1.3 Complaints: Complaints relate to the manner that IMO provides its services, e.g. failure to respond to certification relevant correspondence or unprofessional behaviour.
- 1.4 Allegations: Accusations, made by a third party, against a company certified by IMO claiming that this operator is violating the certification standard.
- 1.5 Complaints, appeals and allegations are handled by IMO according to the procedures laid down in this document in respect of the requirements defined in ISO 17020 chapters 7.5 and 7.6 and ISO 17065 chapter 7.13 and for FSC-related issues FSC-STD-20-001 V3-0, paragraph 14.
- 1.6 The person managing a complaint or appeal will be selected to be competent to assess the situation and to be unbiased, i.e. not the same person that conducted the certification activity (i.e. audit, decision making) questioned in the complaint or appeal. Furthermore, personnel involved in the review or approval of a resolution to an appeal or complaint will not have been involved in consultancy tasks with or have been employed by the client in question for the past two years.

2. Appeals procedures

- 2.1 The operation is informed about the right to appeal any IMO certification decision by the following indication in the certification notification “This decision may be appealed within 14 days to IMO, Weststr. 51, CH- 8570 Weinfelden“.
- 2.2. Appeals procedures may be described in more detail in scheme specific IMO Standard Control Procedures (IMO I 2.1.X) or external certification protocols published by the standard owner. In case no details are specified the following procedures apply:
 - Within 14 days after receiving the certification letter, the operator may submit a written rebut of the described facts to the IMO-secretariat by submitting new evidence or additional justification. Receipt of the documents is acknowledged and based on them IMO re-evaluates the situation, if appropriate. All steps are duly documented.
 - The result is communicated to the operation in writing and the certification decision updated if necessary. Progress reports are provided if necessary.
 - If no agreement can be found, each party can call for a court of arbitration. Procedures for this case are defined in the document IMO I 4.5.5.
 - If applicable, the competent authorities have to be included in the process.
- 2.3. For clients for FSC certifications this document in its current version comes into force two weeks after shipping by IMO. In case of FSC related appeals, an initial response will be provided within 10 working days of receiving an appeal, including an outline of the proposed course of action to follow up. The appellant will be informed of progress. All proposed actions in response to the appeal will be specified within three (3) months of receiving the appeal.

3. Complaint handling procedures

- 3.1 Formal complaints containing the name and contact information of the complainant can be submitted to imo@imo.ch in writing and will be documented and managed centrally in accordance with the procedures defined in this document. All complaints are preliminarily reviewed to ensure that they are not evidently unfounded or crucial information is missing. IMO will not response to anonymous complains.
- 3.2 In case IMO staff receives communication that by its nature constitutes a serious complaint, the responsible head of department briefly investigates and assesses the problem or complaint raised and initiates complaint handling procedures if appropriate.
- 3.3. Each complaint case will be registered in the IMO complaint form (IMO I 4.5.4) and a competent senior member of staff will be appointed to handle the complaint in line with the principles outlined above.
- 3.4 As soon as possible, at the latest within 10 working days the responsible complaint manager writes to the complainant to confirm receipt of the complaint and to provide an overview of follow up procedures and time frames.
- 3.4 The complaint is duly investigated in consideration of facts provided, data in project file as well as additional information obtained of the staff members concerned and/or third party experts if relevant. Further information is requested from the complainant if necessary.
- 3.5 Based on the findings, measures are proposed. The measures to be taken are based on the requirements of the case (incl. that they need to be reasonable with regard to necessary efforts/expenses as well as timely clarification of the matter). They can be determined by relevant laws, regulations and standards.
- 3.6 For any admissible complaint/appeal a written notice is sent to the complainant. The notification (or provisional notification, which outlines further actions planned) shall be sent to the complainant within 8 weeks after the complaint has been filed.
- 3.7 Complaints shall be resolved at the latest within 6 months after they have been filed. An extension of this period up to 12 months is only possible under extraordinary circumstances. The resolution of complaints concerning FSC certification is aimed for within three months.
- 3.8 The IMO executive director and quality manager shall be informed upon the completion of the complaint procedure, respective documentation has to be forwarded to the quality management team.
- 3.9 In case that no agreement can be reached, each party can call for the IMO arbitration procedure (see IMO I 4.5.5 G-e Arbitration procedures). The arbitration procedure must be pointed out to the complainant.
- 3.10 If applicable, the competent authorities have to be included in the process.

4.. Allegations by third parties

- 4.1 If IMO receives information from third parties concerning the alleged breach of certification standards by an IMO certified operator, IMO will duly consider the information received and follow up by investigation if required.
- 4.2 Requirements and procedures to follow up allegations are sometimes described in applicable certification standards or standard protocol documents. If no procedure is specified elsewhere, IMO will apply the following process:

- Risk- based preliminary assessment of the allegation: accuracy and detail of information provided, preliminary assessment of the likelihood of the alleged breach of regulations, seriousness of alleged breach of regulation.
- Follow- up by investigation as required e.g. by means of collection of further data, cross-checking of information from different sources, previous audit findings. In case of very serious allegations, or similar allegations received from different independent parties an unannounced spot-check audit may be assigned. Based on this, additional procedures may be required in line with the respective IMO Standard Control Procedures, e.g. suspension of certification if necessary.
- If requested, IMO treats allegations as confidential i.e. neither name nor address will be forwarded to the organisation in question.
- While IMO generally provides an answer to the party submitting the allegation, IMO is bound to confidentiality towards its clients and will in most cases not communicate findings or outcome of the investigation in any detail.

5. Documentation

5.1 The documentation of complaints and appeals includes:

- The complaint / appeal (with dates and original information)
- The answer of IMO
- A complete description of the handling of the appeal/complaint including all persons involved
- The outcome of the appeals/complaints procedure
- Recommendations
- action taken and their resulting effects

5.2 Any appeals/complaints as well as any allegations and their investigation are documented:

- in the file of the complainant or company filing the appeal
- in case of complaints: in the general complaints file
- in the file of other concerned parties – if relevant
- in the file of parties that have to be informed of the case (e.g. relevant authorities)

5.3 This instruction is directly related to the following parts of the IMO Quality Manual:

- IMO Standard Procedures (IMO I 2.1.x)
- Sanction Policy (IMO I 4.5.1)
- Arbitration procedures (IMO I 4.5.5)
- Complaints Registration Form (IMO I 4.5.4)